

Regarding the respective items in the Office Action, please note:

Applicant agrees with the election agreed to by his Attorney on 3/23/04 as discussed in items 1 through 6. Applicant hereby agrees and affirms to the election whereby claims 13-19 have been withdrawn from further consideration. Written confirmation of this attached to this correspondence.

With reference to item 6, Applicant has made correction to the Specification that changes -36- to "35" on line 12 of page 11.

Regarding item 7, claim 2 has been amended to delete "as seen". Claim 9 has been amended completely so that it now does not contain the wording "or more".

Referring to items 8 and 9, claim 8 has been amended to read: "—a height of said multi-element retractable cover proximal a height of the passenger compartment—".

With reference to items 10 through 15, Applicant has amended claim 1 so that it now incorporates objected to dependent claim 5.

With further reference to item 15, Applicant has added new independent claim 28 that incorporates wording from original dependent claims 6 and 7 into original independent claim 1. New claim 28 now defines extensively the configuration and workings of the first tailgate cover and how it covers the first tailgate recess. None of the features of original claims 6 and 7 are found in the prior art.

It is respectfully submitted that the Application as herewith amended should now be in condition for allowance and that action is respectfully requested. However, should the Examiner feel that some matters remain to be resolved, a telephone interview with undersigned counsel for the Applicant is respectfully invited if the same would be expedient in resolving any remaining formalities or other matters.

Respectfully submitted,

Dated: July 26, 2004

By: 

Robert J. Van Der Wall, Attorney for Applicant

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that the attached paper has been deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 26th day of July, 2004 which is neither a Saturday, Sunday or federal holiday within the District of Columbia, and I accordingly claim the filing date of July 26, 2004 for this paper as provided in 37 CFR 1.10.

Respectfully submitted,

Dated: July 26, 2004

By: 

Robert J. Van Der Wall, Attorney for Applicant

Registration No. 28,125